

## REMARKS

### Summary of Previous and Currently Pending Claims.

In the March 11, 2003 Office Action, the Examiner indicated that claims 9-21 and 23-78 were pending; claims 14, 17-21, 23-26, 33-38, 46-50, 53-58, 60-65, and 71-78 were allowed; claims 9-11, 13, 15, 16, 27-30, 41, 51, and 66-69 were rejected; and claims 12, 31, 32, 39, 40, 42-44, 52, 59, and 70 were objected to.

In this response, Applicants have amended claims 9, 13, 14, 17, 23, 24, 25, 26, 30, 36 and 71; cancelled claims 41-42, 66-70 and 74-76; and added claims 79-111.

Claim 45 was not indicated as allowed in the March 11, 2003 Office Action. However, since claim 45 depends from allowed claim 23, Applicants believe that the Examiner's non-listing of claim 45 was an oversight and have prepared this response accordingly. Applicants request that the Examiner indicate that claim 45 is allowed.

Applicants have previously cancelled claims 10, 15 and 16, however, these cancellations were not reflected in the March 11, 2003 office action. Applicants request that the Examiner note the cancellation of claims 10, 15 and 16.

Claims 9, 11-14, 17-21, 23-40, 43-65, 71-73, and 77-111 will be pending after entry of this response.

No new matter has been introduced by the new or amended claims.

Any amendment or cancellation of a claim is made without prejudice to Applicant pursuing such or a similar claim in another application, and is not to be construed as a dedication to the public of any subject matter.

### Response to Rejections under 35 U.S.C. § 102(e)

Claims 9-11, 13, 15, 16, 27-30, 41, 51, and 66-69 are rejected under 35 U.S.C. § 102(e), for being anticipated by U.S. Patent 6,107,420 (the "420 patent"), which the Examiner states discloses ruthenium vinylidene complexes according to Applicants rejected claims.

Applicants have cancelled claims 41 and 66-69 and Applicants have previously cancelled claims 10, 15, and 16. Independent claim 9 and dependent claims 11, 13, 27-30, and 51, therefore remain rejected over the '420 patent.

Applicants have amended claim 9 to remove vinylidene catalysts complexes from the claim, which is now limited to alkylidene and allenylidene catalyst complexes. Independent claim 9 and dependent claims 11, 13, 27-30, and 51 do not now encompass ruthenium vinylidene catalysts complexes and are not therefore anticipated by the '420 patent.

Applicants respectfully request allowance of claims 9, 11, 13, 27-30, and 51.

Applicants have amended claim 13 to correct a typographical spelling error, and Applicants have amended claim 30 to more correctly characterize the invention.

#### **Response to Objected Subject Matter**

Claims 12, 31, 32, 39, 40, 42-44, 52, 59, and 70 are objected to as being dependent upon a rejected base claim.

Applicants have cancelled claims 42 and 70. In view of Applicants' amendment of rejected base claim 9, claims 12, 31, 32, 39, 40, 43-44, 52, and 59 are in condition for allowance and Applicants respectfully request allowance of claims 12, 31, 32, 39, 40, 43-44, 52, and 59.

#### **Response to Allowed Subject Matter**

Claims 14, 17-21, 23-26, 33-38, 46-50, 53-58, 60-65 and 71-78 are allowed. Applicants thank the Examiner for allowance of these claims, and request that claim 45 also be noted as allowed.

Applicants have amended claims 14, 17, 23, 24, 25, and 26 to correct a typographical spelling error and have amended claim 71 to correct subscript and superscript typographical oversights. Applicants have also amended claim 36 to more correctly characterize the invention.

To conform with dependent claim numbering requirements, Applicants have cancelled claims 74-76 and added new equivalent claims 107-109. Applicants request that claims 107-109 be considered in condition for allowance.

#### **New Claims 79-111**

Applicants have added new claims 79-111. These new claims include only material stated as allowed by the examiner, and Applicants respectfully request allowance of claims 79-110.

##### ***New claims 79 and 80***

New claims 79 and 80 describe specific nucleophilic carbene ligands and depend from claim 13, which is in condition for allowance after amendment of claim 9. Applicants respectfully request the Examiner to allow claims 79-80.

##### ***New claims 81 and 82***

New claims 81 and 82 describe specific nucleophilic carbene ligands and depend from allowed claim 17. Applicants respectfully request the Examiner to allow claims 81-82.

##### ***New claims 83 and 84***

New claims 83 and 84 describe specific nucleophilic carbene ligands and depend from allowed claim 24. Applicants respectfully request the Examiner to allow claims 83-84.

##### ***New claims 85 and 86***

New claims 85 and 86 describe specific nucleophilic carbene ligands and depend from allowed claim 26. Applicants respectfully request the Examiner to allow claims 85-86.

***New claims 87 to 92***

New claims 87 to 92 describe specific L and L<sup>1</sup> ligands and depend from objected to claims 39, 43, and 59, and allowed claims 60 to 61, respectively. All objected to claims are now in a condition for allowance and Applicants respectfully request the Examiner to allow claims 87-92.

***New claims 93-106***

In the March 11, 2003 office action, the Examiner indicated that claims 12, 31, 32 and 59 included allowable subject matter. These claims included vinylidene catalyst complexes plus the additional characteristic that the ligands be multidentate (claim 12), that there be a solid support (claims 31 and 32), or that the nucleophilic carbene is saturated (claim 59).

Applicants have added claims new 93-106 encompassing vinylidene catalysts complexes that include one or more of the additional characteristics of claim 12, 31 and 32, or 59. The Examiner has previously indicated that this subject matter is allowable, and Applicants respectfully request allowance of claims 93-106.

***New claims 107-109***

Applicants have added new claims 107-109 to replace cancelled claims 74-76. New claims 107-109 are the same as previously allowed claims 74-76, with the exception that applicants have updated claim 107 to depend from claims 9, 39, 40, 43, 44, 63, 64, 65, 71, 72, 73, 87, 88, 93, 98 or 99. Applicants respectfully request allowance of claims 107-109.

***New claims 110 & 111***

Applicants have added new claims 110 and 111 directed to specific versions of the vinylidene catalysts containing a saturated ligand for the nucleophilic carbene ligand, L<sup>1</sup>. New claim 111 is identical in scope to cancelled claim 70, which the Examiner objected to but indicated would be allowed if written in independent form. New claim 110 includes a broader

scope for the L<sup>1</sup> ligand as compared to the scope for the 111 claim, but claim 110 is still limited to saturated ligands for the nucleophilic carbene ligand, L<sup>1</sup>. Applicants respectfully request allowance of claims 110-111.

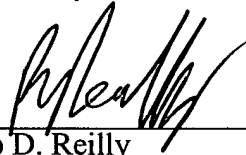
## CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 515622000100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

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